

M E M O R A N D U M

DATE: November 15, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0079-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 13, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(2 Nuthatch Court)
8th Election District *
3rd Council District *
David A. & Patricia L. Mayhew *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2018-0079-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, David A. and Patricia L. Mayhew ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 1B02.3, 205.3 and 205.4 [1955-1963 Regs.] of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the replacement and enlargement of an enclosed existing porch with a side yard setback of 3 ft. and a rear yard setback of 3 ft. in lieu of the required 15 ft. and 40 ft. respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. No adverse ZAC comments were received from any of the County reviewing agencies. However, it is to be noted that a letter of support was received from adjacent neighbors (10623 Partridge Lane) who have no objection to Petitioners' zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 22, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 10-13-17

By OW

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("B.C.C."). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 13th day of **October, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 1B02.3, 205.3 and 205.4 [1955-1963 Regs.] of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit the replacement and enlargement of an enclosed existing porch with a side yard setback of 3 ft. and a rear yard setback of 3 ft. in lieu of the required 15 ft. and 40 ft. respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 10-13-17

By SW

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 10-13-17

By DW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address #2 NUTHATCH COURT Currently zoned DR2
 Deed Reference 7495 1981 10 Digit Tax Account # 0809013000
 Owner(s) Printed Name(s) DAVID A. MAYHEW & PATRICIA L. MAYHEW

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s) 1862.3 BCZR 1801.2 (1955-1963 BCZR)
1802.3 BCZR (SECTION 205.3)
SEE ATTACHED SHEET 205.4
R-20

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (Indicate type of work in this space: i.e., to raise, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.
 If we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

[Signature]
 ELLIEN STANCO
 NOTARY PUBLIC STATE OF MARYLAND
 MY COMMISSION EXPIRES: 9/22/2020

Owner(s)/Petitioner(s):

DAVID A. MAYHEW; PATRICIA L. MAYHEW
 Name #1 - Type or Print Name #2 - Type or Print
David A Mayhew Patricia L Mayhew
 Signature #1 Signature #2
#2 NUTHATCH COURT COCKEYSVILLE MD
 Mailing Address City State
21030 410-458-0864
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DRAK
BRUCE E. DRAK CONSULTING LLC
 Name- Type or Print
[Signature]
 Signature
3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
 Mailing Address City State
21053 410-719-7906
 Zip Code Telephone # Email Address
BD@BECCONSULTING.COM

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 9 day of September, 2017, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0079-A Filing Date 9/12/2017 Estimated Posting Date 9/24/2017 Reviewer JW

ORDER RECEIVED FOR FILING

Date 10-13-17

By DW

VARIANCE
NOT
SPH

Baltimore Health Dept
4/30/56

Clarification of
 correct code
 sections.
 10-11-17

Administrative Variance for
2 Nuthatch Court

2018-0079-A

1862.3 BCZR
Sections: 1801.2.3, (1955-1963 BCZR 205.3 & 205.4)

To permit the replacement and enlargement of an enclosed existing porch with a side yard setback of 3 feet and a rear yard setback of 3 feet in lieu of the required 15 feet and 40 feet respectively.

ORDER RECEIVED FOR FILING

Date 10-13-17

By LSW

Debra Wiley

From: June Wisnom
Sent: Wednesday, October 11, 2017 2:20 PM
To: Debra Wiley
Subject: FW: Message from "RNP002673BFB3B1"
Attachments: 20171011142156113.pdf

-----Original Message-----

From: cpr111@baltimorecountymd.gov [mailto:cpr111@baltimorecountymd.gov]
Sent: Wednesday, October 11, 2017 2:22 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: Message from "RNP002673BFB3B1"

This E-mail was sent from "RNP002673BFB3B1" (MP 4054).

Scan Date: 10.11.2017 14:21:55 (-0400)
Queries to: cpr111@baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 11, 2017 12:41 PM
To: Leonard Wasilewski; June Wisnom
Subject: Administrative Variance Case No. 2018-0079-A (Closing date: 10/9)
Attachments: 20171011123919935.pdf

Hi there,

Len - Please see attached pages 1 and 3 and clarify for us the correct code citations for the Opinion and Order as they're listed differently.

June - FYI - the data base is showing this case as SPH and not A.

Thanks; it is appreciated.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Wednesday, October 11, 2017 12:39 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 10.11.2017 12:39:19 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address #2 NUTHATCH COURT Currently zoned DR2
 Deed Reference 7495 1 981 10 Digit Tax Account # 0809013000
 Owner(s) Printed Name(s) DAVID A. MAYHEW & PATRICIA L. MAYHEW

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1862.3/BCZR 1801.2 1955-1963 BCZR
SECTION 205.3
SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.
 I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

ELLEN SPAULD
 NOTARY PUBLIC STATE OF MARYLAND
 MY COMMISSION EXPIRES: 9/22/2020

Owner(s)/Petitioner(s):

DAVID A. MAYHEW; PATRICIA L. MAYHEW
 Name #1 - Type or Print Name #2 - Type or Print
David A Mayhew Patricia L Mayhew
 Signature #1 Signature #2
#2 NUTHATCH COURT COCKEYSVILLE MD
 Mailing Address City State
21030 410-458-0864
 Zip Code Telephone # Email Address
ARDEA2@COMCAST.NET

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
 Name- Type or Print
B. E. O.
 Signature
3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
 Mailing Address City State
21033 410-919-9906
 Zip Code Telephone # Email Address
BD@BRUCEDOAKCONSULTING.COM

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0079-A Filing Date 9/12/2017 Estimated Posting Date 9/24/2017 Reviewer TM



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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 Deed Reference 7495 / 981 10 Digit Tax Account # 0809013000
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(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

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- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1802.3 BCZR 1801.2 1955-1963 BCZR
SECTION 205.3
SEE ATTACHED SHEET

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I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

ELLEN SEAVICK
 NOTARY PUBLIC STATE OF MARYLAND
 MY COMMISSION EXPIRES: 9/22/2020

Owner(s)/Petitioner(s):

DAVID A. MAYHEW PATRICIA L. MAYHEW
 Name #1 – Type or Print Name #2 – Type or Print
David A Mayhew Patricia L Mayhew
 Signature #1 Signature #2
#2 NUTHATCH COURT COCKEYSVILLE MD
 Mailing Address City State

21030 410-458-0864
 Zip Code Telephone # Email Address
ARDEA2@COMCAST.NET

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name – Type or Print
Bruce E Doak
 Signature
3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
 Mailing Address City State
21053 410-919-9906
 Zip Code Telephone # Email Address
BDOAK@BRUCEDOAKCONSULTING.COM

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2018-0079-A Filing Date 9/12/2017 Estimated Posting Date 9/24/2017 Reviewer W

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: #2 NUTHATCH COURT COCKEYSVILLE MO 21030
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

SEE ATTACHED SHEET

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

David A. Mayhew
Signature of Owner (Affiant)

DAVID A. MAYHEW
Name- Print or Type

Patricia L. Mayhew
Signature of Owner (Affiant)

PATRICIA L. MAYHEW
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of September 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: David A. Mayhew and Patricia L. Mayhew
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Ellen Sparks

ELLEN SPARKS

Notary Public

My Commission Expires

9/22/2020

REV 5/5/2018

2018-0079-A

Administrative Variance for
2 Nuthatch Court

2018-0079-A

Sections: 1B01.2.3, 1955-1963 BCZR 205.3 & 205.4

To permit the replacement and enlargement of an enclosed existing porch with a side yard setback of 3 feet and a rear yard setback of 3 feet in lieu of the required 15 feet and 40 feet respectively.

Practical difficulty and / or Hardship

The subject property is a corner lot and the house is located at an angle and in the rear portion of the lot. This does not allow for any additions to the house without a variance being needed.

The current house has an enclosed porch that is in poor shape. The existing porch is 3 feet from the side property line. The owners wish to rebuild the porch in the same place, which is also 3 feet from the property line. This location is the only place to locate the porch due to the steep topography in the rear of the house to the cul-de-sac on Nuthatch Court.

The adjoining owners support the variance request and has stated their support in a letter that is enclosed with this petition.

2018-0079-A

Rosalyn A. Thibodeau
10623 Partridge Lane
Cockeysville, Maryland 21030
Phone: (410) 667 1386

August 9, 2017

Dear Mr. Doak:

Our neighbors, Pat and Dave Mayhew, have advised that they intend to replace their screened porch.

I'm sure it will be an asset and we certainly have no objection. We will be happy to see them able to enjoy it this summer.

Sincerely,

Rosalyn Thibodeau

Rosalyn and Alfred N. Thibodeau

Alfred N. Thibodeau

rat

2018-0079-A

PER DAVID MAYHEW

This property differs from most other nearby houses in that the house was placed on an angle at the back of the lot. The existing screen porch was built from scrap lumber by the original owner about 50 years ago. It has been upgraded several times since then, but time is eroding its structural integrity. The floor is starting to sink due to insufficient and possibly failing support posts. Some soffit lumber is rotting, as well as portions of floor support beams. The current owners wish to replace the existing screen porch with a new, modern screen porch to enhance the usefulness and overall value of the property.

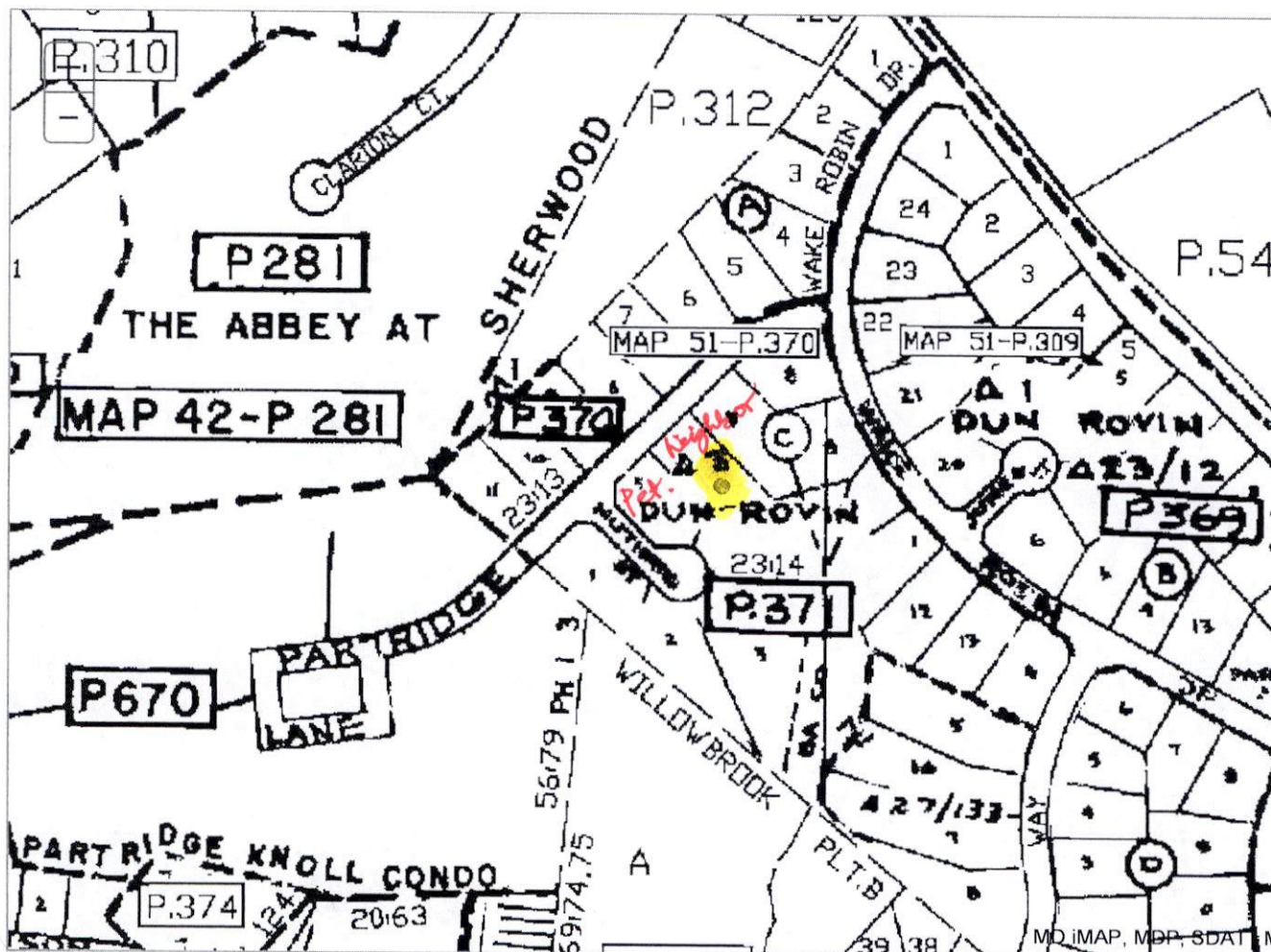
2018-0079-A

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 0807048580			
Owner Information					
Owner Name:		THIBODEAU ALFRED N THIBODEAU ROSALYN A		Use:	RESIDENTIAL
Mailing Address:		10623 PATRIDGE LA COCKEYSVILLE MD 21030		Principal Residence:	YES
				Deed Reference:	/10860/ 00584
Location & Structure Information					
Premises Address:		10623 PARTRIDGE LN 0-0000		Legal Description: 10623 PARTRIDGE LA SE DUN ROVIN	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0051	0006	0371		0000	
					Block:
					C
					Lot:
					6
					Assessment Year:
					2017
					Plat No:
					3
					Plat Ref:
					0023/ 0014
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1961		1,624 SF		812 SF	
				Property Land Area	
				22,040 SF	
				County Use	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	BRICK	2 full	1 Carport
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2017	07/01/2018
Land:		115,000	115,000		
Improvements		189,100	194,700		
Total:		304,100	309,700	305,967	307,833
Preferential Land:		0			0
Transfer Information					
Seller: REDDING JAMES K/TRUSTEE		Date: 12/08/1994		Price: \$179,500	
Type: ARMS LENGTH IMPROVED		Deed1: /10860/ 00584		Deed2:	
Seller: REDDING JAMES K		Date: 11/24/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10165/ 00505		Deed2:	
Seller: HAVRILAK SAMUEL CHARLES		Date: 02/22/1989		Price: \$164,500	
Type: ARMS LENGTH IMPROVED		Deed1: /08109/ 00522		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 04/28/2008					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **08** Account Number: **0807048580**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

2 Nuthatch Court
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at the intersection of the south side of Partridge Lane (50 feet wide) and the west side of Nuthatch Court (50 feet wide).

Being Lot #5 as shown on the plat entitled "Dun Rovin" dated May 1, 1956 and recorded in the land records of Baltimore County in Plat Book GLB 23, page 14.

Containing 18,382 square feet of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2018-0079-A

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

September 24, 2017

Re:
Zoning Case No. 2018-0079-A
Legal Owner: David & Patricia Mayhew
Closing date: October 09, 2017

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 2 Nuthatch Court.

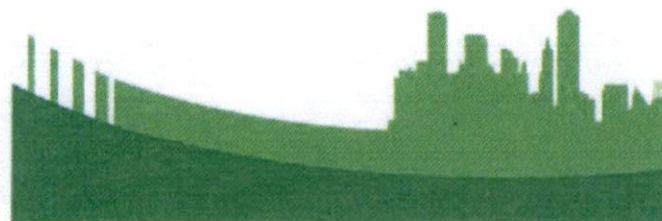
The sign was posted on **September 22, 2017**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2018-0079-A

2 Nuthatch Court

REQUEST: TO PERMIT THE REPLACEMENT AND ENLARGEMENT OF AN ENCLOSED EXISTING PORCH WITH A SIDE YARD SETBACK OF 3 FEET AND A REAR YARD SETBACK OF 3 FEET IN LIEU OF THE REQUIRED 15 FEET AND 40 FEET RESPECTIVELY.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE OCTOBER 9, 2017.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W. CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391



BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0079 -A Address 2 Nuthatch Court
Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/12/2017 Posting Date: 9/24/17 Closing Date: 10/9/17

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2018- 0079 -A Address 2 Nuthatch Court
Petitioner's Name David & Patricia Mayhew Telephone _____
Posting Date: 9/24/17 Closing Date: 410 458 0864

Wording for Sign: _____ To permit the replacement and enlargement of an enclosed existing porch with a side yard setback of 3 feet and a rear yard setback of 3 feet in lieu of the required 15 feet and 40 feet respectively.

Revised 6/30/2018

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: #2018-0079-A
Property Address: #2 NUTHATCH COURT
Property Description: LOT #5 "DUN ROVIN" PB 23/19

Legal Owners (Petitioners): DAVID A. MAYHEW & PATRICIA L. MAYHEW
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID A. MAYHEW
Company/Firm (if applicable): N/A
Address: #2 NUTHATCH COURT
COCKEYSVILLE MD 21093 21030

Telephone Number: 410-458-0864

Revised 5/20/2014

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

NO 157194

Date:

9/29/17

Rev # Sub
Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: 75.00

Rec From: Bruce E Dook Consulting

For: 2 Nuthatch Ct. J

2018-0079-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
9/12/2017 9/12/2017 09:21:42 3

REG WSD3 WALKIN CAH
>>RECEIPT # 743555 9/12/2017 OFLN

Dept: 5 528 ZONING VERIFICATION
CR NO. 157194

Recpt Tot 175.00
\$75.00 CK \$:00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

October 11, 2017

David A & Patricia L Mayhew
#2 Nuthatch Court
Cockeysville MD 21030

RE: Case Number: 2018-0079 A, Address: #2 Nuthatch Court

Dear Mr. & Ms. Mayhew:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 12, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

(AV) 10-9-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 12, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0079-SPH
Address 2 Nuthatch Court
(Mayhew Property)

Zoning Advisory Committee Meeting of **October 9, 2017**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 10-12-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: October 19, 2017

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 9, 2017
Item No. 2018-0079-SPH, 0091-SPHA, 0092-SPHA, 0093-A, and 0094-A.

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

*

*

*

*

*

VKD: CEN
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 12, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0079-SPH
Address 2 Nuthatch Court
(Mayhew Property)

Zoning Advisory Committee Meeting of **October 9, 2017**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford Date: 10-12-2017

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 10/2/17

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

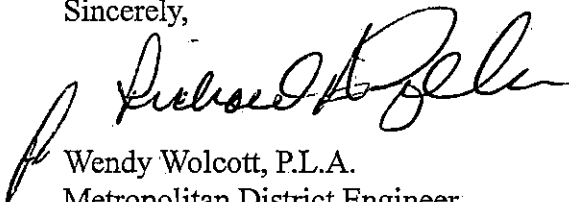
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0079-SPH

*Administrative Variance
David A. & Patricia L. Mayhew
2 Nantuxet Court.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

C H E C K L I S T

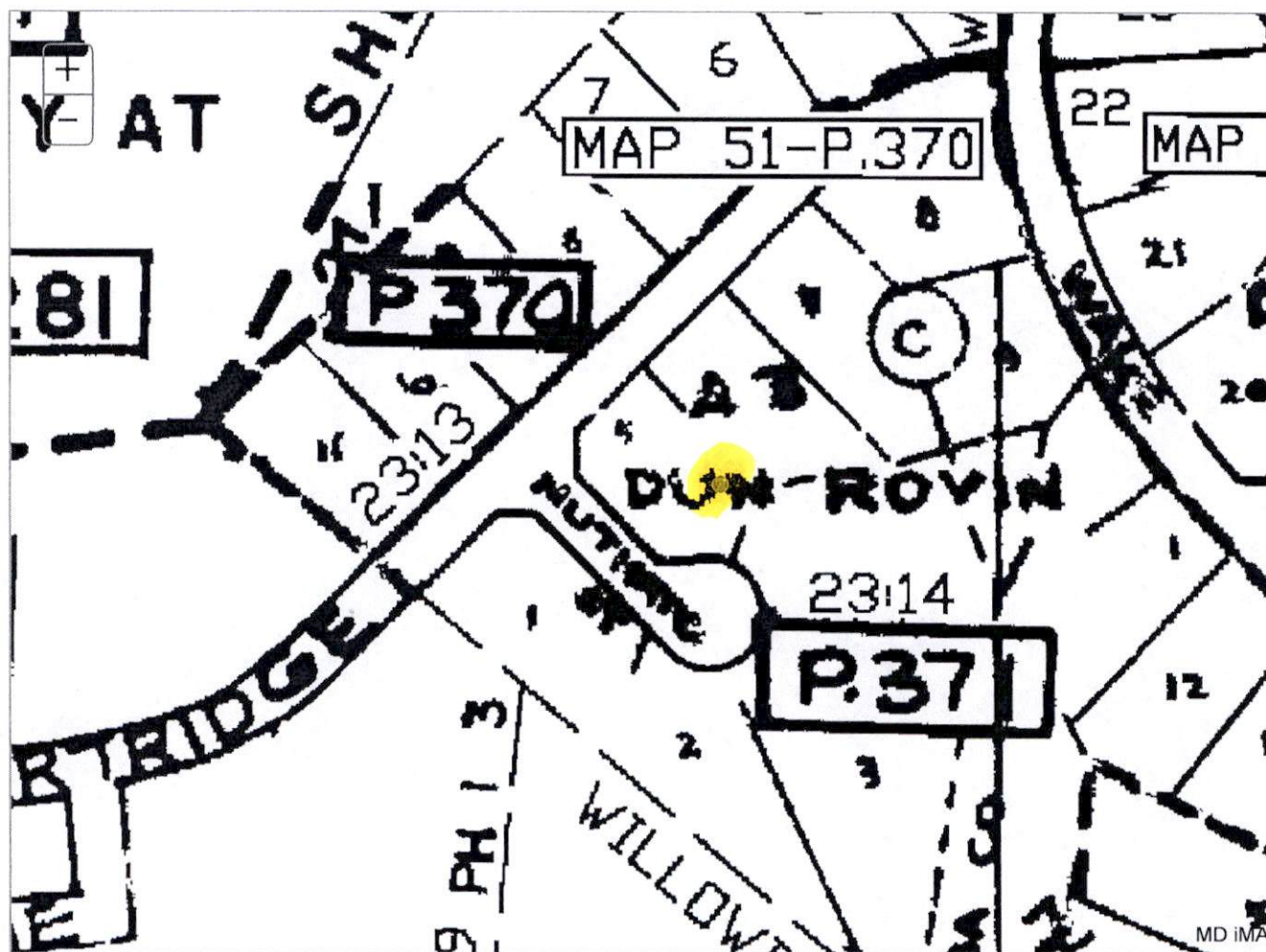
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>10-12</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-2</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>8-9</u>	ADJACENT PROPERTY OWNERS	<u>No objection</u> <u>Thibodeau</u> <u>10623 Partridge Lane</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>9-22-17</u> by <u>Dook</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 0809013000			
Owner Information					
Owner Name:	MAYHEW DAVID A MAYHEW PATRICIA L		Use:	RESIDENTIAL	
Mailing Address:	2 NUTHATCH CT COCKEYSVILLE MD 21030-2617		Principal Residence:	YES	
			Deed Reference:	/07495/ 00481	
Location & Structure Information					
Premises Address:		2 NUTHATCH CT 0-0000		Legal Description:	
DUN ROVIN					
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0051	0006	0371		0000	
					Block:
					C
					Lot:
					5
					Assessment Year:
					2017
					Plat No:
					0023/
					Plat Ref:
					0014
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1961	1,624 SF	600 SF	18,382 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	FRAME	2 full	1 Carport
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2017	07/01/2018
Land:		114,000	114,000		
Improvements		171,300	176,400		
Total:		285,300	290,400	287,000	288,700
Preferential Land:		0			0
Transfer Information					
Seller: WOODY BENJAMIN J, JR		Date: 03/17/1987		Price: \$135,500	
Type: ARMS LENGTH IMPROVED		Deed1: /07495/ 00481		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 05/15/2008					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application			Date:		

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **08** Account Number: **0809013000**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

A



CASE #2018-0079-A



Case # 2018-0079-A



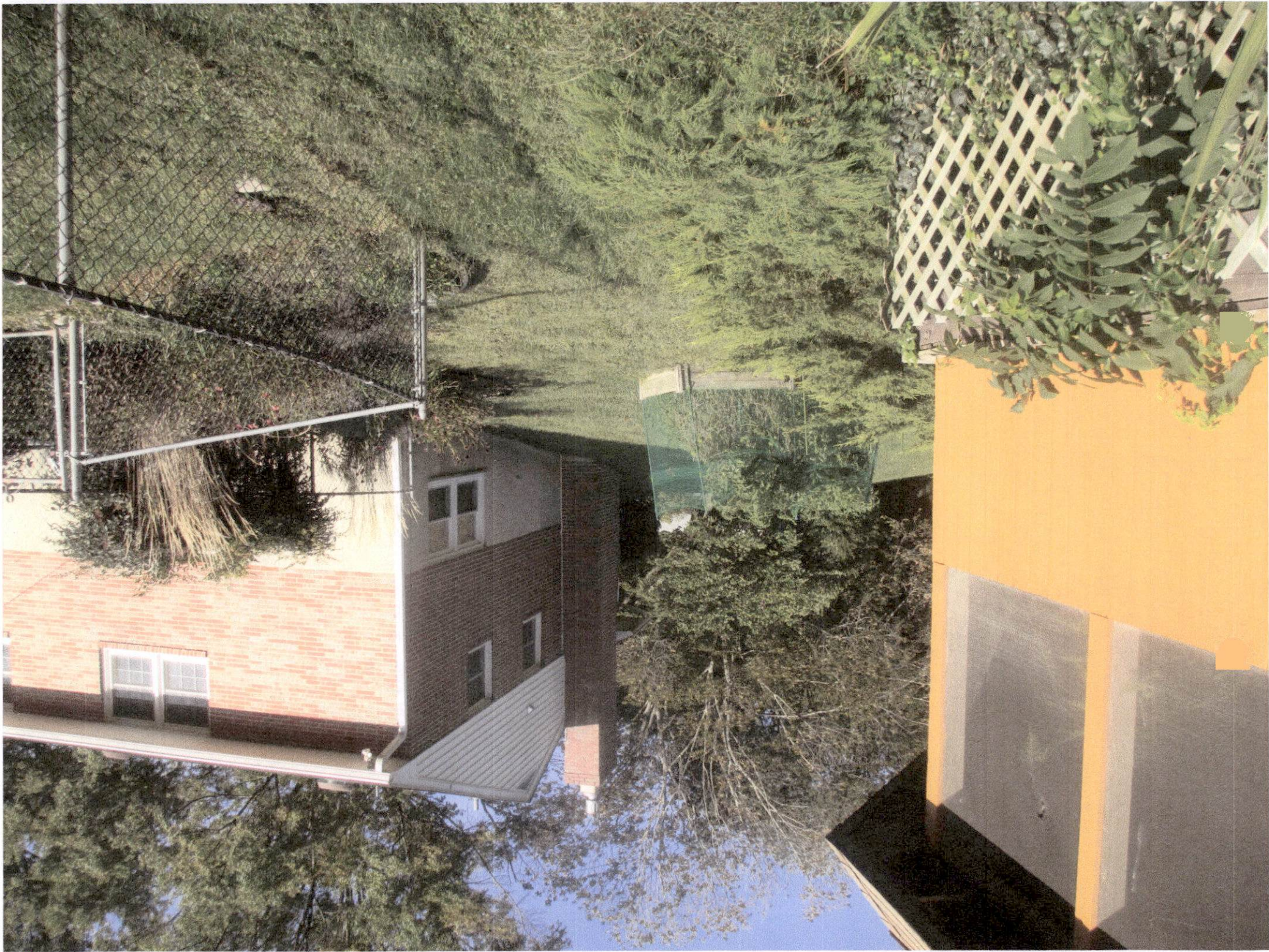
CASE # 2018-0070-A



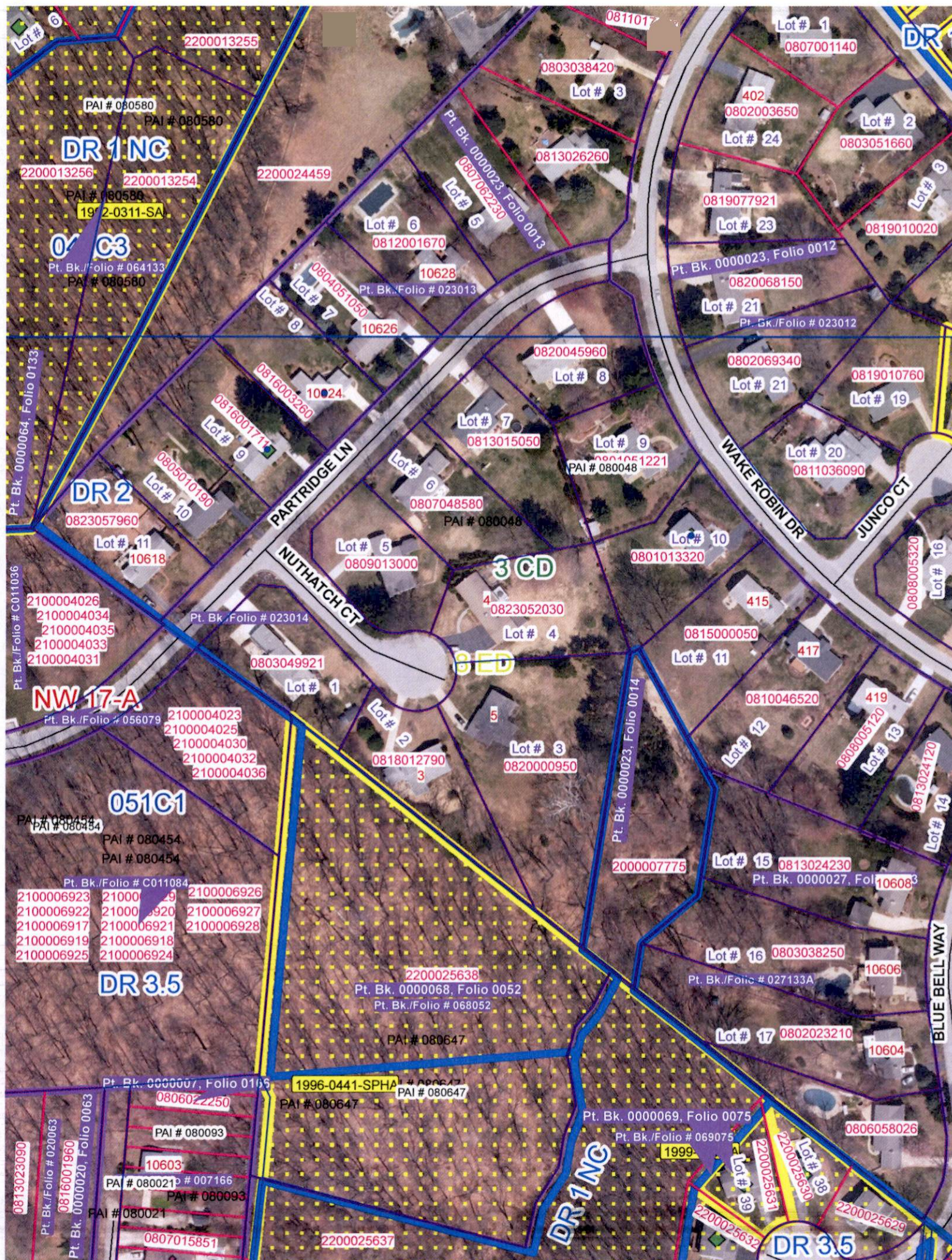
1. 2018-0079-A

File #2008-0079-A

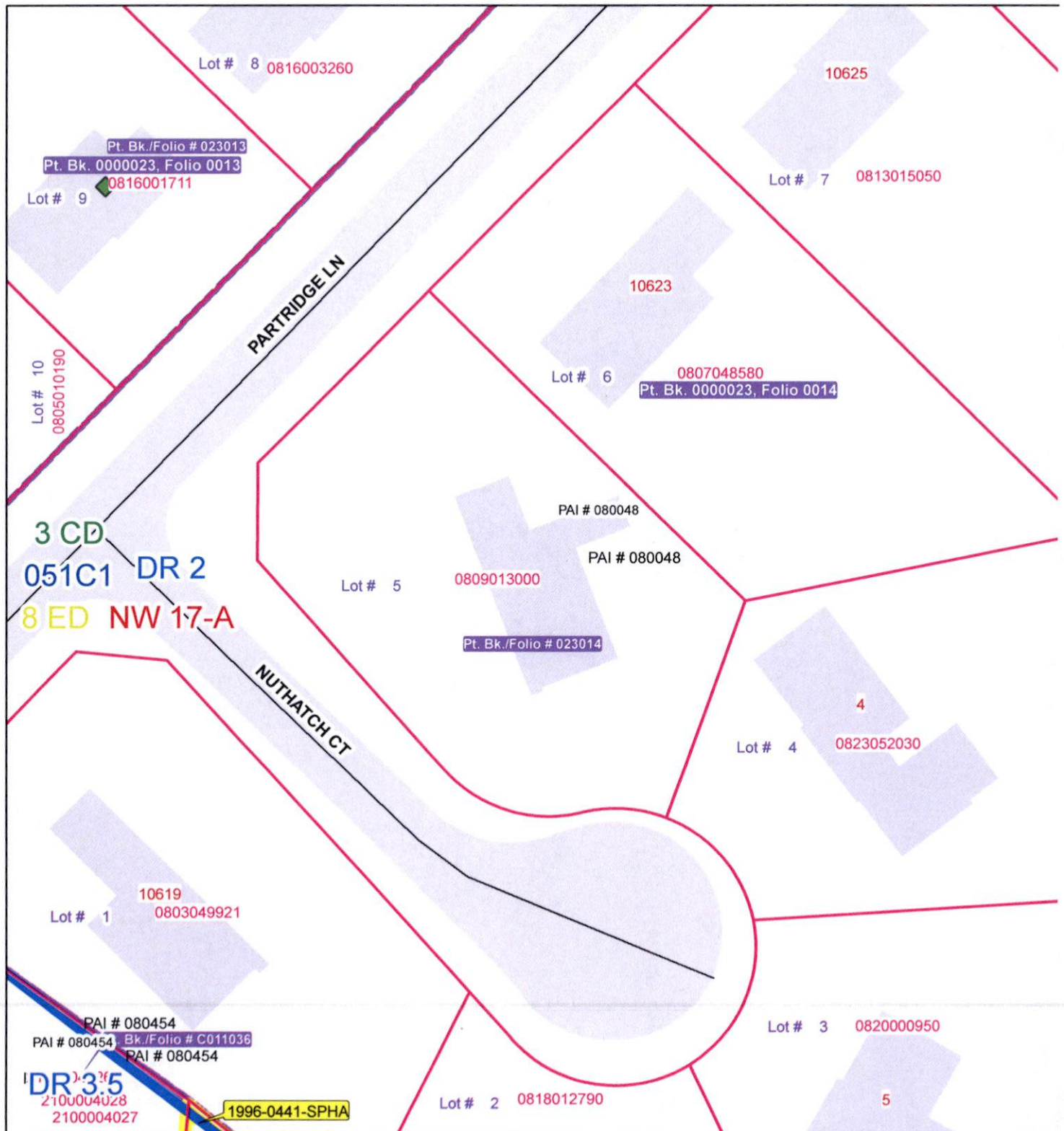








2 Nunnatch Court 2018 -079-A



Publication Date: 9/12/2017



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

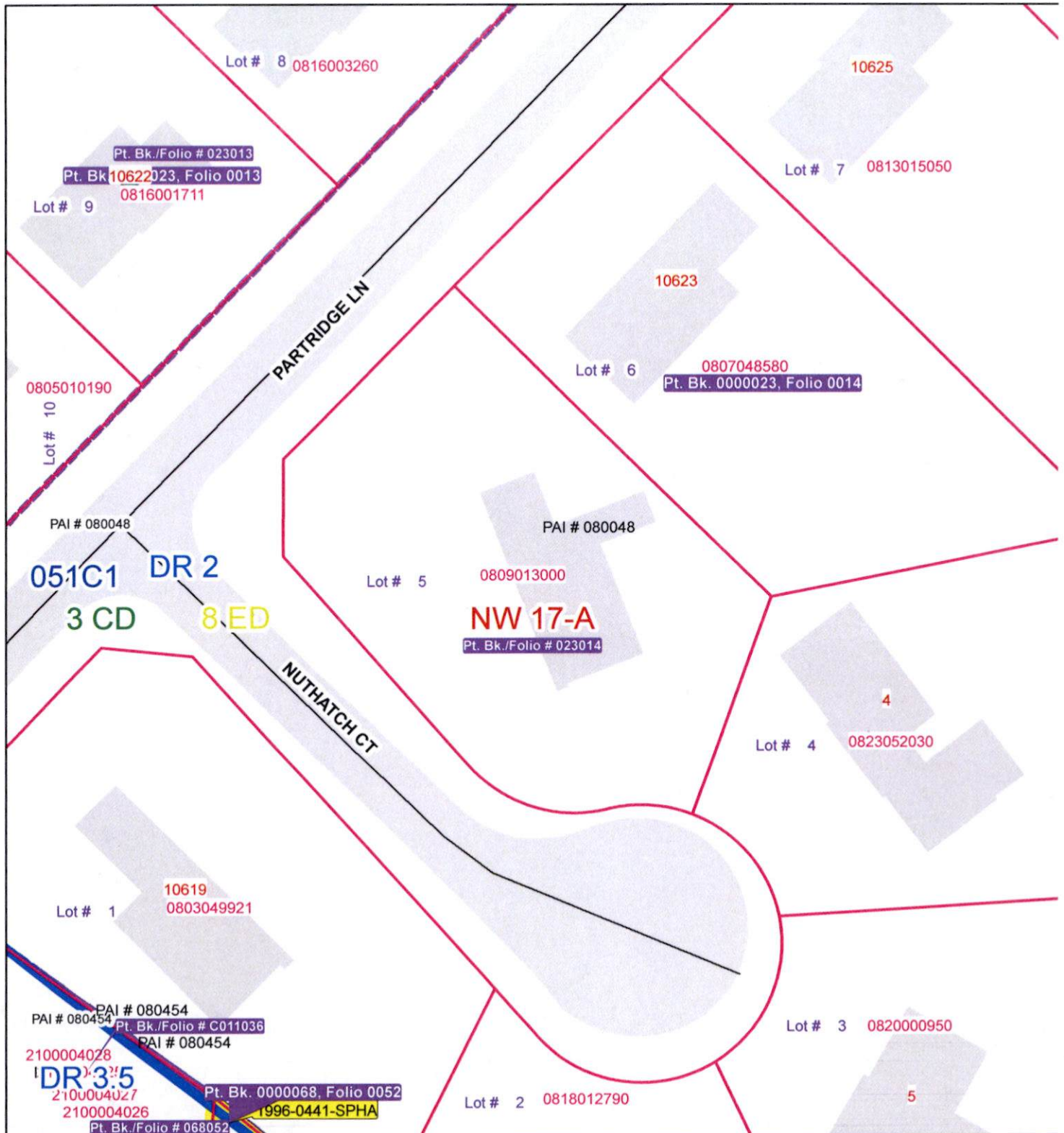


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2 Nuthatch Court

2018-0079-A



Publication Date: 8/21/2017

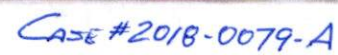


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.525 50 75 100 Feet

1 inch = 50 feet



GENERAL SITE INFORMATION

1. Ownership: David A. Mayhew & Patricia L. Mayhew
2. Address: 2 Nuthatch Court Cockeysville, MD 21030
3. Deed references: SM 7495/ 481
4. Lot 5 "Dun Rovin" PB 23/14
5. Area: 18,382 sq. ft. (per SDAT)
6. Tax Map / Parcel / Lot / Tax account #: 51 / 371 / 5 / 08-09-013000
7. Election District: 8 Councilmanic District: 3
8. The boundary shown hereon is from the plat recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & driveway. The existing dwelling and driveway will remain.

OFFICE OF ZONING

Zoning: DR 2 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2+

DR 2 Setbacks for Residential Dwellings

Front: 40 feet from the street right of way centerline / 65 feet to the road centerline
Side: 40 feet from the street right of way centerline (corner lot) / 65 feet to the road centerline
Rear: 40 feet to the property line

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2+

DR 2 Setbacks for Residential Dwellings

Front: 40 feet from the street right of way centerline / 65 feet to the road centerline
Side: 40 feet from the street right of way centerline (corner lot) / 65 feet to the road centerline
Rear: 40 feet to the property line

ENVIRONMENTAL IMPACT

Watershed: Loch Raven Reservoir URDL land type: 1

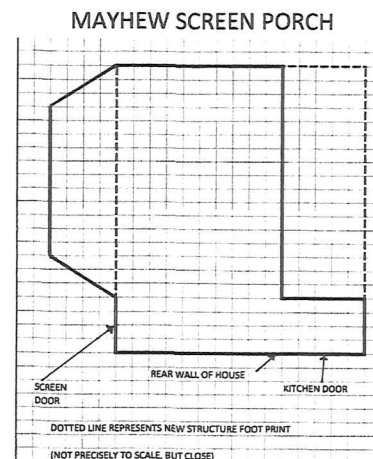
1. The existing dwelling is currently serviced by a private septic system and public water.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To rebuild the elevated screened porch on the back of the house



#4 NUTHATCH COURT
PHILIP W. HARRIS
FLORENCE D. HARRIS

4

#10623 PATRIDGE LANE
ALFRED N. THIBODEAU
ROSALYN A. THIBODEAU

6

PROPOSED 16' x 22'
ELEVATED SCREEN
PORCH
3.0' TO PROPERTY LINE

EXISTING
ELEVATED
SCREENED
PORCH

SEPTIC TANK

DRY WELL

24' Mac. Fencing
PARTRIDGE LANE



ZONING POINT OF
BEGINNING

PLAN TO ACCOMPANY
PHOTOGRAPHS

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#2 NUTHATCH COURT

BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 9/3/2017

Scale: 1" = 30'

Pet. Ech. 1

CASE # 2018. 0079. A

1. Ownership: David A. Mayhew & Patricia L. Mayhew
2. Address: 2 Nuthatch Court Cockeysville, MD 21030
3. Deed references: SM 7495/ 481
4. Lot 5 "Dun Rovin" PB 23/14
5. Area: 18,382 sq. ft. (per SDAT)
6. Tax Map / Parcel / Lot / Tax account #: 51 / 371 / 5 / 08-09-013000
7. Election District: 8 Councilmanic District: 3
8. The boundary shown herein is from the plat recorded in the Land Records of Baltimore County. All other information shown herein was taken from Baltimore County GIS and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling & driveway. The existing dwelling and driveway will remain.
9. GIS Title 051C1ED

Zoning: DR 2 Zoning Map NW 17-A

There are no previous zoning cases on the subject parcels.

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2+

DR 2 Setbacks for Residential Dwellings

Front: 40 feet from the street right of way /65 feet to the road
centerline
Side: 40 feet from the street right of way /65 feet to the road
centerline (corner lot)
15 feet on property lines other than street right of ways
Rear: 40 feet to the property line

Watershed: Loch Raven Reservoir URDL land type: 1

1. The existing dwelling is currently serviced by a private septic system and public water.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

1. The subject dwelling is not historic. The subject property is not in a historic district.

To rebuild the elevated screened porch on the back of the house



SCREEN DOOR

REAR WALL OF HOUSE

KITCHEN DOOR

DOTTED LINE REPRESENTS NEW STRUCTURE FOOT PRINT
(NOT PRECISELY TO SCALE, BUT CLOSE)

#4 NUTHATCH COURT
PHILIP W. HARRIS
FLORENCE D. HARRIS

4

PROPOSED 16' x 22'
ELEVATED SCREEN
PORCH

3.0' TO PROPERTY LINE-

#10623 PATRIDGE LANE
ALFRED N. THIBODEAU
ROSALYN A. THIBODEAU

⑥

24' Mac. Farming
PARTRIDGE LANE

0' 30' 60' 90'

— ZONING POINT OF BEGINNING

Vicinity Map — Scale: 1" = 5000'



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#2 NUTHATCH COURT

BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

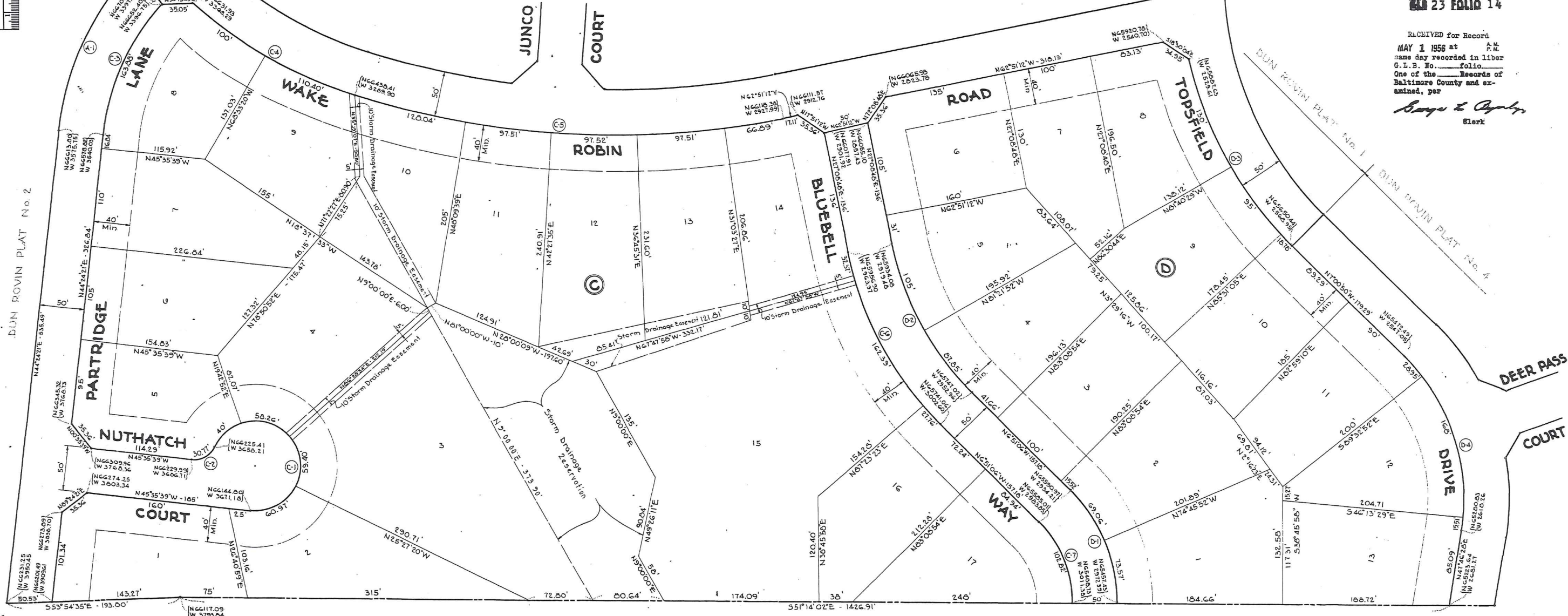
Date: 9/13/2017

Scale: $1'' = 30'$

CASE #2018-0679-A



DUN ROVIN PLAT No. 2



CURVE DATA					
No.	Radius	Δ	Arc. Tan.	Long. Chord	Long. Chord Bearings
A-1	305	36° 13' 10"	203.45	199.70	N 63° 30' 56" E
C-1	50	250° 31' 41"	116.63		
C-2	25	70° 31' 41"	30.71	17.60	N 60° 51' 30" W
C-3	255	26° 49' 17"	163.08	84.88	N 62° 49' 00" E
C-4	490	24° 36' 07"	210.40	106.85	N 22° 03' 06" W
C-5	960	28° 30' 00"	487.47	246.09	N 48° 36' 12" W
C-6	375	35° 59' 54"	222.52	114.64	N 10° 06' 51" E
C-7	129.15	45° 51' 04"	102.82	54.31	N 15° 57' 26" E
D-1	179.15	45° 51' 04"	142.63	75.34	N 15° 57' 26" E
D-2	325	35° 59' 54"	192.05	99.34	N 10° 06' 51" E
D-3	425	32° 51' 54"	243.70	125.34	N 9° 25' 02" E
D-4	222.15	54° 41' 10"	212.46	115.14	N 20° 22' 39" E

BLD 23 FOLIO 14

RECEIVED for Record
MAY 1 1956 at P.M.
same day recorded in Liber
G.L.B. No. _____ Folio _____
One of the _____ Records of
Baltimore County and ex-
amined, per
George L. Cuyler
Clerk

2018-0079-A

BLD 23 FOLIO 14 G.L.B. No. _____ Folio _____		ENGINEERS Whitman Requardt & Associates 2 West Preston Street Baltimore 1, Maryland <i>Roy H. Ritter</i> Roy H. Ritter Registered Land Surveyor No. 339		OWNER'S CERTIFICATE Walter K. Keen 9322 Old Hartford Road Baltimore 34, MD. Certification is hereby made that the requirements of the annotated code of Maryland, chapter 1016, Act of 1945, have been complied with on this plat. <i>Walter K. Keen</i> Walter K. Keen Owner		The streets or roads as shown hereon are for the purpose of descrip- tion only and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is especially reserved in the owner. Approved Baltimore County Planning Board By: <i>Frederick D. Rice</i> Date: <i>7/3/1956</i> Approved Baltimore County Highways Department By: <i>John G. Hogg</i> Date: <i>July 30, 1956</i>		DUN ROVIN - PLAT No. 3 ELECTION DISTRICT No. 8 BALTIMORE COUNTY, MARYLAND DECEMBER 13, 1955 SCALE: 1"=50'	
APPROVED Baltimore County Health Department <i>William H. H. H. H.</i> Deputy State and County Health Officer Date <i>4-28-56</i>		Coordinates shown are extensions made from Baltimore City coordinates as established by Baltimore City Topographical Commission. Bearings refer to true north Baltimore, and are based on Baltimore County Metropolitan Dis- trict control points X-79 and X-60.						MSA SW 136-365 5	